

04-848 DOLAN V. USPS, ET AL.

DECISION BELOW: 377 F.3d 285 (3rd Cir. 2004)

QUESTION PRESENTED FOR REVIEW

1. Does not this case -which involved a determination of whether the district court had jurisdiction over the claim of plaintiff when her injury was caused by the negligent placement of mail at the place of delivery -call for an exercise of this Courts supervisory power where there is a dispute between the circuits of the Court of Appeals as to whether the exception to the Federal Tort Claims Act, 28 U .S.C. § 2680 (b) barred this lawsuit and where the Third Circuit narrowly construed the Act?

Cert. Granted 4/25/05